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EX PARTE OR LATE FILED

October 31, 1997

VIA HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Ex Parte Presentation
Assignment of Orbital Locations to Space Station in the Ka-Band,
Report No. SPB-102, DA 97-967, CC Docket No. 92-297

RECEIVED
OCT 31 1997
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Mr. Caton:

Pursuant to Section 1.1206 of the Commission's rules, Lockheed Martin Corporation hereby submits two copies of this transmittal letter and the attached written presentation to the Office of the Secretary for inclusion in the public record of the above-captioned proceeding.

Please contact me if any questions should arise in connection with this matter.

Sincerely,



Carlos M. Nalda
Counsel to Lockheed Martin Corporation

CMN/css
Enclosure

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October 31, 1997

Mr. Thomas S. Tycz
Chief, Satellite and Radiocommunication
Division, International Bureau
Federal Communications Commission
2000 M Street, N.W., Room 520
Washington, D.C. 20554

Re: Report No. SPB-102; Lockheed Martin Corporation's Request for Reassignment
to the 2° E.L. Orbit Location

Dear Mr. Tycz:

With the submission of the recently-negotiated resolution of Ka-band orbital assignments in the so-called Region A (domestic) portion of the arc, all of the first-round Ka-band reassignment requests are ripe for resolution.¹ Lockheed Martin wishes to emphasize the need for a quick resolution of the various reassignment requests and, in particular, Lockheed Martin notes that its request for the 2° E.L. orbit location is independent of the Region A reassignment requests and should be granted forthwith.

Lockheed Martin is optimistic that the Region A settlement will permit the Bureau to act quickly on all first-round reassignment requests. Indeed, failure to resolve the pending reassignments well in advance of the second-round Ka-band application cut-off will introduce a needless level of complexity to the second Ka-band processing round. Lockheed Martin stresses, however, that Bureau action on Lockheed Martin's request for the 2° E.L. orbit location is not in any way related to or contingent upon the Bureau's ultimate decision with respect to Region A orbital reassignments.

The Region A settlement appears to conform to FCC criteria for approval and should be considered favorably by the Bureau. However, unlike the Region A reassignment requests, which were previously contested and mutually exclusive, Lockheed Martin's non-conflicting and timely request for 2° E.L. has not been opposed by affected parties.² Thus, although the Bureau's

¹ See Letter from John P. Janka, *et al.*, to Thomas S. Tycz (October 23, 1997).

² See generally Consolidated Reply Comments and Opposition to Petition to Deny of Lockheed Martin Corporation, Report No. SPB-102, DA 97-967 (filed Oct. 6, 1997); *see also* Further Comments of Lockheed Martin Corporation, Report No. SPB-102, DA 97-967 (filed Oct. 14, 1997).

Mr. Thomas S. Tycz
October 31, 1997
Page 2

reassignment order may address issues which do not bear on Lockheed Martin's request, those issues should not be permitted to affect or delay assignment of the 2° E.L. orbit location to Lockheed Martin. Indeed, the Commission has routinely considered unrelated reassignment requests independently, and granted appropriate reassignment requests without regard to the resolution of other requests.³

Lockheed Martin's request for 2° E.L. fully satisfies the Bureau's conditions for grant: it was timely-filed and is unopposed by affected Ka-band licensees. Accordingly, Lockheed Martin urges the Bureau to grant Lockheed Martin's reassignment request for 2° E.L. at the earliest possible time, without regard to the ultimate resolution of Region A orbital reassignments.

Respectfully submitted,

LOCKHEED MARTIN CORPORATION

By: 

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³ See, e.g., *Assignment of Orbital Locations to Space Stations in the Domestic Fixed-Satellite Service*, 5 FCC Rcd 179 (rel. Jan. 11, 1990).

Mr. Thomas S. Tycz
October 31, 1997
Page 3

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CERTIFICATE OF SERVICE

I, Cynthia S. Shaw, a legal secretary for Dow, Lohnes & Albertson hereby certify that on this 31st day of October, 1997, copies of the foregoing letter addressed to Thomas S. Tycz, Chief, Satellite and Radiocommunication Division, International Bureau, Federal Communications Commission were sent by hand or first-class mail, postage paid, to each of the following:

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